

MINUTES
PERSONNEL COMMITTEE

Tuesday, August 13, 2013

City Hall, Room 207

6:50 p.m.

Members Present: Chair Andy Nicholson, Ald. Tom DeWane, Ald. Amy Kocha, Ald. Tom Sladek

Others Present: Director Lynn Boland, Director Rob Strong, Director Dawne Cramer, Director Dawn Foeller, Chief David Litton, Asst. Chief Mike Nieft, City Attorney Tony Wachewicz, Commander Lisa Sterr, Manager Rick Jensen and others

1. Roll Call.

2. Adoption of the Agenda.

A motion to adopt the agenda was made by Ald. Kocha, seconded by Ald. Sladek. Motion carried unanimously.

3. Approval of the minutes of the meeting of July 15, 2013.

A motion to approve the minutes of the meeting of July 15, 2013 was made by Ald. Sladek seconded by Ald. DeWane. Motion carried unanimously.

4. Request to fill the following positions and all subsequent vacancies resulting from internal transfers.

- a. Patrol Officer – Police
- b. Executive Secretary – Parks, Recreation & Forestry
- c. HR/Risk Assistant – Human Resources
- d. Election Specialist – City Clerk's Office

A motion to approve the request to fill positions 4a through 4d and all subsequent vacancies was made by Ald. DeWane and seconded by Ald. Kocha. Motion carried unanimously.

5. Request to reclassify and fill two positions in the Community Services Department, Housing Division and all subsequent vacancies resulting from internal transfers.

- a. Senior Property Manager position from Administrative Pay Grade 32 to Administrative Pay Grade 33.
- b. Property Manager position from Administrative Pay Grade 31 to Resident Services Coordinator, Administrative Pay Grade 28.

Ald. Nicholson requested to hold this item over at the last Council meeting so that he could meet with Community Development Director Rob Strong to get a better understanding of the request. Ald. Nicholson stated his issue with this request is in regards to reclassifying the Senior Property Manager from administrative pay grade 32 to administrative pay grade 33. This reclassification would result in a 5% annual salary increase from \$50,870 to \$53,919.

Director Boland stated the position would be posted and depending on if the incumbent receives the position, the base pay for the position may be lower. The incumbent is currently receiving an interim wage rate for working out-of-class due to assuming additional job responsibilities. Ald. Nicholson thought the position wasn't going to be posted. Ald. Sladek stated this was discussed at the July Personnel Committee meeting and it was determined the position would be posted. Director Strong was under the impression the Sr. Property Manager position would be filled by existing staff and not posted, but the Resident Services Coordinator position would be posted. Director Boland stated the process was reviewed with Director Strong, but there may have been a misunderstanding. The Sr. Property Manager position would be posted internally only, but the Resident Services Coordinator position would be posted internally along with an external recruitment.

Ald. Nicholson questioned a 5% increase for this individual. Director Boland explained the amount of the increase has not been determined. The request is to reclassify the position from pay grade 32 to pay grade 33 and once an individual is hired, the appropriate step placement in pay grade 33 will be determined. The salary range for pay grade 33 is \$43,306 to \$53,919.

Ald. DeWane questioned whether the position needs to be reclassified from pay grade 32 to grade 33 and feels the position could be filled at pay grade 32. Ald. Kocha stated the request to reclassify the Sr. Property Manager position is due to an increase in the job duties and responsibilities of the position and has nothing to do with the incumbent's current salary or the 2% increase in October. Ald. Sladek stated that organizations use the term "internal equity" to make sure that employees with the same level of responsibilities are compensated at the same level. The system that Human Resources uses to assess these positions and place them in grades establishes internal equity so that there is fairness among the employees working throughout the City. Ald. Sladek stated the reclassification makes sense. The department previously had two employees performing the duties of the proposed Sr. Property Manager position with one employee managing the scattered sites and the other employee managing the operations of Mason Manor.

Ald. Nicholson supports Ald. DeWane's position that the Sr. Property Manager position should remain at grade 32. Director Strong stated he will withdraw the request if the position remains at grade 32. Ald. Nicholson asked why. Director Strong replied the department would keep the current structure, rather than drop

the salary for the second position. Director Strong went on to say the new structure would be much more efficient than the current structure. The Housing Authority reviewed, supports and has budgeted for this request. Director Strong stated the Housing Division needs either two higher quality mid-level people under the current structure of grade 31 and 32, or the structure before the committee today, which is an administrator at grade 33 and an assistant at grade 28. The restructuring of the job duties would be an annual cost savings of \$1,829.

Discussion continued on how positions are classified in specific pay grades and advancement through the steps within a pay grade. The job duties and responsibilities of a position determine the pay grade a position is assigned. Once an employee reaches the top of the pay grade, the employee does not receive any additional pay increases other than cost of living, unless the position is reclassified to a higher pay grade.

Ald. Kocha supports the reclassification of both positions.

A motion to approve the reclassification of the Senior Property Manager position from Administrative pay grade 32 to Administrative pay grade 33 and fill the position and all subsequent vacancies resulting from internal transfers was made by Ald. Kocha, seconded by Ald. Sladek. Ald. Kocha and Sladek yes, Ald. DeWane and Nicholson, no. 2-2 vote, no recommendation.

A motion to approve the reclassification of the Property Manager position from Administrative pay grade 31 to Resident Services Coordinator, Administrative pay grade 28 and fill the position and all subsequent vacancies resulting from internal transfers was made by Ald. Kocha, seconded by Ald. Sladek.

Under discussion, Ald. Sladek stated this was a redesign of two jobs within a department to work together and doesn't believe one position can be reclassified without the other.

Ald. Kocha amended the motion to approve the reclassification of the Property Manager position from Administrative pay grade 31 to Resident Services Coordinator, Administrative pay grade 28 and fill the position and all subsequent vacancies subject to approval of 5a. Ald. Sladek seconded the motion. Motion carried unanimously.

6. Recommend a 2.0% general increase for the following employee groups, effective with the start of the pay period in which October 1, 2013 occurs.
 - a. Administrative
 - i. Directors, Managers & Professionals (Exempt)

A motion to approve a 2% general increase for Administrative (Exempt) employees effective with the start of the pay period in which October 2, 2013 occurs was made by Ald. Sladek, seconded by Ald. Kocha.

Under discussion, Ald. Kocha stated she was prepared to hear a motion to approve all groups for the 2% general increase. Ald. Nicholson requested separation of the groups.

Ald. Nicholson inquired if the Mayor or City Council members were included in any of these groups. Director Boland responded no, a separate action would have to be approved by the Council prior to the next election.

Motion carried 3-1. Ald. Nicholson voted no.

ii. General Employees (Non-Exempt)

Director Boland explained the General Employees (Non-Exempt) group includes non-exempt administrative employees, such as the City Sealer, Paralegal and Administrative Assistant to Fire. Due to Act 10, and the non-renewal of contracts, the general employees group now includes Appraisers, Fire Mechanics, Bridgetenders and miscellaneous part-time positions.

A motion to approve a 2% general increase for Administrative (Non-Exempt) employees effective with the start of the payroll period in which October 2, 2013 occurs was made by Ald. DeWane, seconded by Ald. Sladek. Motion carried unanimously.

Director Boland stated there are a number of general municipal employees that are still represented by a bargaining unit. That includes Bay Area, Crossing Guards, Electricians, Inspectors, Parks and Forestry Maintenance and Public Works Labor. Recently the Wisconsin Employment Relations Commission (WERC) announced the CPI limit for new labor agreements that are being negotiated with public sector unions. The CPI limit on base wage negotiations for labor agreements that expire on June 30, 2013 is 2.07% and for those that expire on December 30, 2013 it is 1.66%. The City is considering a 2% across the board wage increase for its general municipal employees to take effect on the first of the pay period in which October 1, 2013 occurs. For non-represented employees this is not an issue, but for represented general municipal employees the labor unions still have the right to negotiate base wages with the increase limited by the CPI which would apply to the effective dates of the contract. The current contracts with these groups cover both the 2012 and 2013 calendar years and will expire on December 31, 2013. Since these groups did not receive a wage increase during this time, the allowable base wage increase under the CPI would be 2.01% for 2012 and 2.96% for 2013. In aggregate, the 2012 to 2013 CPI would exceed the 2% being considered, thus there would be no referendum that would be necessary in order to approve the 2% increase that would be

effective October 1, 2013. Director Boland noted that if approved, the 2% base wage would basically be a unilateral change to the current contract in granting this increase. Each union has been notified of the City's intent to unilaterally implement the 2% increase, if approved by the City Council. Director Boland stated the union representatives were asked for their comments and the only comments received to date have been favorable. Director Boland does not anticipate seeing a prohibitive practice complaint filed by any of the unions, but in the event such a complaint were filed, then the increase would not be implemented for those groups.

- b. Bay Area
- c. Crossing Guards
- d. Electricians
- e. Inspectors
- f. Parks and Forestry Maintenance
- g. Public Works Labor

A motion to approve a 2% general increase for employee groups 6b through 6g effective with the start of the pay period in which October 1, 2013 occurs was made by Ald. DeWane, seconded by Ald. Kocha. Motion carried unanimously.

- h. Seasonal

A motion to approve a 2% general increase for Seasonal employees effective with the start of the pay period in which October 1, 2013 occurs was made by Ald. Kocha, seconded by Ald. DeWane. Motion carried 3-1. Ald. Nicholson voted no.

7. Request approval to award a 3-year contract, plus two 1-year renewal options, for Life and AD&D Insurance to MetLife effective January 1, 2014.

Purchasing Manager Rick Jensen provided a brief overview of the RFP process. Through the RFP process, responses were received from ten qualified insurance carriers; the responses were evaluated by a team consisting of representatives from Human Resources, general employees and M3 Insurance Consultants. Manager Jensen stated the recommendation is to award MetLife a 3-year contract, plus two 1-year renewal options, for Life and AD&D.

A motion to take items 7 and 8 together was made by Ald. DeWane, seconded by Ald. Kocha. Motion carried unanimously.

8. Request approval to award a 3-year contract, plus two 1-year renewal options, for Long Term Disability (LTD) Insurance to Aetna, effective January 1, 2014.

Manager Jensen continued his review of the RFP process for Long Term Disability (LTD) and recommended approval to award a 3-year contract, plus two

1-year renewal options to Aetna. The recommendations to award contracts are to the highest scoring provider at the lowest cost.

A motion to approve items 7 and 8 was made by Ald. DeWane, seconded by Sladek. Motion carried unanimously.

9. a. Request by Ald. Nicholson to review the City's process for approving moving expenses.

Director Boland stated the current City policy authorizes the Human Resources Director to include reimbursement of moving expenses in the job offer but the actual reimbursement must be approved by the Personnel Committee and City Council. Director Boland reviewed the timeline of the employment process for hiring Fire Chief Litton and provided options for the future to include:

- With the assistance of the purchasing division, authorize HR Director to spend up to \$10,000 for moving expenses for Department Heads.
- HR Director would provide an informational report to Personnel Committee on any moving expenses authorized under \$10,000.
- Any amount in excess of \$10,000 would require Council approval.
- Moving expenses for other than Department Heads would require Council approval.

A motion to have Human Resources draft modifications to City policy regarding the reimbursement of moving expenses was made by Ald. Nicholson, seconded by Ald. Kocha. Motion carried unanimously.

- b. Recommendation to authorize reimbursement of actual moving expenses for Fire Chief David Litton in an amount not to exceed \$12,980.28.

A motion to approve the recommendation to authorize reimbursement of actual moving expenses for Fire Chief David Litton in an amount not to exceed \$12,980.28 was made by Ald. DeWane, seconded by Ald. Kocha. Motion carried 3-1. Ald. Nicholson voted no.

10. Request to approve revisions to Chapter 23, Family Medical Leave Act (FMLA) Policy in accordance with federal regulations.

A motion to approve the revisions to Chapter 23, Family Medical Leave Act (FMLA) Policy in accordance with federal regulations was made by Ald. Kocha, seconded by Ald. DeWane. Motion carried unanimously.

11. Request for approval of out-of-state travel for Officer Reetz and Officer Merrill to attend Handler Instruction and Training Seminar (HITS) in St. Louis, Missouri from August 28-31, 2013.

A motion to approve the request for out-of-state travel for Officer Reetz and Officer Merrill to attend Handler Instruction and Training Seminar (HITS) in St. Louis, Missouri from August 28-31, 2013 was made by Ald. DeWane, seconded by Ald. Kocha. Motion carried unanimously.

12. a. Report from the Fire Department on the status of the Hook and Ladder pilot program.

Assistant Fire Chief Nieft stated a report on the Hook and Ladder pilot program was included in the packet and indicated that since the report was written, four additional calls have been made. The only cost of the program is for the gas to go on the calls as staff is being paid regardless of whether they go on a call. The average time spent on calls is just over 30-minutes; and with each call the crews are becoming more efficient and spending less time at each call. The amount of time spent on this program is minimal and is not taxing the department at this time.

Ald. Nicholson does not agree with the program or the way it was implemented.

Asst. Chief Nieft believes the program is an extension of the EMS duties; these are our citizens and this program helps to prevent them from relapsing or calling an ambulance and going back to the hospital.

Ald. Nicholson stated it's like the old saying; you can't have a cop on every corner, now we're going to have a fireman in basically every house. Ald. Nicholson stated he doesn't believe in the program and believes it was handled wrong. Ald. Nicholson doesn't believe City services should be used to help Bellin's patients. The hospital can provide services on their own, at their own expense.

A motion to receive and place on file the status of the Hook and Ladder pilot program was made by Ald. Sladek and seconded by Ald. Kocha. Motion carried unanimously.

- b. Report from the City Attorney on the options clarifying City Council authority.

A motion to receive and place on file the report from the City Attorney on the options clarifying City Council authority was made by Ald. DeWane, seconded by Ald. Kocha.

Under discussion, Atty. Wachewicz stated there is no clear guidance in which to give a concrete answer. A variety of resources were reviewed over the last couple of weeks and without any clear case law or guidance from other sources, it appears there is nothing to prevent Council from adopting a policy or ordinance if they so choose.

Ald. Nicholson inquired if the way this program was created in a closed door meeting with the Mayor to utilize City services for a private company was appropriate. Atty. Wachewicz indicated the question regarding the authority to implement a pilot program is not clear as to whether that was appropriate. Atty. Wachewicz stated if the program was implemented permanently, then there would have to be an agreement between the medical provider and the City which would require approval. The question with the pilot program is where the authority lies and does the Council want to create some sort of a check or safeguard at the inception of a program rather than later, through the contract procedure.

Ald. Sladek agreed with Atty. Wachewicz. Ald. Sladek stated it's clear if this involved a signed contract it would have required Council approval in advance, but because it's a pilot program there is a gray area as to who has the authority to approve. Ald. Sladek would like to see a policy drafted. The policy would apply to anything that involves the exchange of City resources for payments or anything that changes, broadens or narrows the roles or responsibilities of City departments.

Ald. Boyce indicated this could be cleared up if the Mayor elaborated on the process used to select this for a pilot program. Ald. Nicholson indicated that Ald. Boyce could bring this up at the next Council meeting. Ald. Nicholson asked for the names of the individuals from Bellin Hospital. Director Boland indicated the names were listed in the report, George Kerwin, Bellin CEO, Andrea Werner, VP of Heart Lung and Vascular Services and Laura Hieb, Chief Nursing Officer.

A motion to direct the Law Department to draft a policy or ordinance clarifying authority to enter into agreements for City services was made by Ald. Sladek, seconded by Ald. DeWane. Motion carried unanimously.

13. Request by Ald. Nicholson to review the Animal Control Service contracts with the Villages of Allouez and Ashwaubenon and the City of DePere.

Ald. Nicholson stated his concern is with the two contracts that were authorized by the Police Department rather than City Council. The two contracts were with Ashwaubenon and DePere. Commander Sterr indicated that after further research it was discovered the contracts for Allouez and Ashwaubenon were approved by Finance Committee and City Council, but the agreement with DePere was not. Ald. Nicholson inquired if there is a Police Department policy that allows lieutenants and captains to engage in services with other communities without Council approval. Commander Sterr stated the department doesn't have a policy, but does engage in a number of mutual aid requests and special event requests where the department provides police services at events, such as for the Packers and organizations are then billed for our services. Commander Sterr stated there is an email from former Chief Arts indicating these no longer need to go forward. Ald. Nicholson asked if Commander Sterr thought

Chief Arts authorized Capt. Fleury to sign the agreement with DePere. Commander Sterr responded yes, she can't imagine Capt. Fleury doing this without approval of the Chief.

A motion to receive and place on file the review of Animal Control Service contracts with the Villages of Allouez and Ashwaubenon and the City of DePere was made by Ald. DeWane, seconded by Ald. Kocha. Motion carried unanimously.

14. Report of Routine Personnel Actions for regular employees.

A motion to receive and place on file the report of Routine Personnel Actions for regular employees was made by Ald. Sladek, seconded by Ald. Kocha, motion carried unanimously.

There being no further business, a motion to adjourn was made by Ald. Sladek and seconded by Ald. DeWane at 8:00 p.m. Motion carried unanimously.

Respectfully submitted,
Peggy Barden
Recording Secretary